

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL BENNETT,

Plaintiff,

v.

PRIMECARE MEDICAL INC., et al.,

Defendants.

NO. 3:18-cv-517

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 5th day of February, 2020, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 63) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 63) is **ADOPTED**.
- (2) Defendants' Summary Judgment Motions (Docs. 43 and 46) are **GRANTED**.<sup>1</sup>
- (3) Judgment is **ENTERED** in favor of Defendants and **AGAINST** Plaintiff on all claims.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo  
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A. Richard Caputo  
United States District Judge

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<sup>1</sup>

As explained by Magistrate Judge Carlson, the action could also be dismissed for failure to prosecute in accordance with *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863 (3d Cir. 1984).